

Reply to Non-Final Office Action
Attorney Docket No.: MAT-001
U.S. Serial No.: 10/665,921

REMARKS

Applicant has carefully reviewed and considered the current Office Action and the references cited therein. Claims 15, 17, and 18 are herein amended; no claims are herein canceled; Claims 1-14 and 20-23 are herein withdrawn; and no claims are herein added. As a result, Claims 15-19 are now pending in this application.

Applicant thanks the Examiner for the courtesy of a telephone interview on January 9, 2005. The interview included a brief discussion of the current Office Action, the cited art, and the present invention as claimed. No conclusions or agreements were reached.

Rejection of Claims 1-4, 6, 8-11, 13, 20-23 under 35 U.S.C. §102(b) and Rejection of Claims 5, 7, 12, 14, 15-19 under 35 U.S.C. §102(b) or under 35 U.S.C. §103(a)

The Examiner has rejected Claims 1-4, 6, 8-11, 13, 20-23 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,441,070 issued to Thompson ("Thompson"). Additionally, the Examiner has rejected Claims 5, 7, 12, 14, 15-19 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Thompson. Applicant respectfully requests the Examiner to reconsider these rejections in view of the amendments and remarks made herein.

Claims 1-14, and 20-23 have been herein withdrawn. Applicant reserves the right to reinstate, amend, or cancel these claims at a later date.

Claims 15, 17, and 18 have been herein amended to require a user demand detector to consist essentially of either a single flow switch or a single flow meter. The user demand detector is capable of determining whether user demand is present in the pressurized piping system. These amendments are supported in the specification as a whole and especially in Figure 1 and accompanying text. Pressurized piping systems include water lines such as would be found delivering potable water to a residential home, a commercial building, or an institutional building. Thus, pressurized piping systems generally comprise a plurality, and frequently many, outlets such as appliances and faucets.

Thompson does not teach or suggest the present invention as claimed. In fact, Thompson teaches away from the present invention. Thompson requires "a fluid flow sensor, located at or upstream of each fluid control valve." Column 4, lines 39-42. *See also* Claims 1, 10, and 18. Thus, Thompson requires a fluid flow sensor for each fluid control valve (e.g., a faucet). The

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present invention on the other hand is limited to a single flow switch or a single flow meter for the entire pressurized piping system. Thompson further teaches away from the present invention by teaching the following: "it is important that the flow sensors be located as close as possible to the water flow control valves of the water utilization devices. In fact, the flow sensors would ideally be located in the water utilization devices and could be possibly be part of the water utilization devices." To the contrary, the present invention, as claimed, and as shown in Figure 1, utilizes a single flow switch or a single flow meter, which can be placed in close proximity to the control logic, and therefore, a significant distance from any water utilization devices.

These differences between the present invention and Thompson create significant benefits. First, the present invention can provide leak detection *to the same pressurized piping systems as Thompson at significantly less cost*. For example, the fluid management system of Figure 1 in Thompson requires 15 flow sensors (numbered 60-74). The present invention, on the other hand, can provide leak detection to the same piping system shown in Figure 1 of Thompson using a single flow switch or a single flow meter. Second, the present invention is significantly easier and more cost effective to both install and maintain. The fluid management system 200 of Thompson requires each flow sensor to be connected via wires to a water management device 100. Since the flow sensors in Thompson are "located as close as possible to the water flow control valves of the water utilization devices," the wires connecting the flow sensors to the water management device 100 must run a significant distance from the water management device 100 and most probably will be placed inside the walls of the residence. Placing the wires inside the walls is time consuming and expensive, especially if the system is installed after the residence has been built. Reaching the wires for needed repairs will also be time consuming and expensive. The present invention, on the other hand, can provide leak detection *to the same pressurized piping systems as Thompson* using the leak detection system 100 shown in Figure 1 of the present specification, which contains a single flow switch 116 placed in close proximity to the control box. The entire system 100 can be easily installed in close proximity to the residential water supply where it can also be easily reached when it needs to be reset or repaired.

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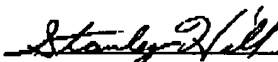
CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested.

If the Examiner believes that a telephone conversation with the Applicants' representative would facilitate prosecution of this application in any way, the Examiner is cordially invited to telephone the undersigned at (508) 303-2003 X14. If necessary, please apply any additional fees, or credit overpayments, to Deposit Account 50-2295.

Respectfully submitted,

Date: January 10, 2006
Reg. No.: 37,548


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The undersigned hereby certifies that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service, with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Stanley K. Hill

Date: January 10, 2006

